

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

---

JOHN HANCOCK LIFE INSURANCE  
COMPANY, JOHN HANCOCK  
VARIABLE LIFE INSURANCE  
COMPANY, and MANULIFE  
INSURANCE COMPANY (f/k/a  
INVESTORS PARTNER INSURANCE  
COMPANY),

Plaintiffs,

v.

ABBOTT LABORATORIES,

Defendant.

---

CIVIL ACTION NO. 05-11150-DPW

**JOINT MOTION TO MODIFY  
SUMMARY JUDGMENT BRIEFING SCHEDULE**

Plaintiffs John Hancock Life Insurance Company, John Hancock Variable Life Insurance Company, and Manulife Insurance Company (f/k/a Investors Partner Life Insurance Company) (collectively, “John Hancock”) and defendant Abbott Laboratories (“Abbott”) (collectively, the “Parties”) hereby move, pursuant to Local Rule 16.1(G), to modify the Scheduling Order issued by the Court’s Minute Order of January 5, 2007 (the “Scheduling Order”) and with respect to the deadlines for filing and briefing motions for summary judgment. Grounds for this joint motion are as follows:

1. The Parties have been endeavoring to meet the deadlines established by the current Scheduling Order, including, but not limited to, the June 29, 2007 deadline for filing

motions for summary judgment. Due to various scheduling conflicts, however, depositions are not expected to be complete before the end of this month.

2. As a consequence of the foregoing, the Parties jointly propose a modest extension of the existing summary judgment deadlines as follows:

<u>Event</u>	<u>Current Deadline</u>	<u>Proposed Deadline</u>
Filing of Motions for Summary Judgment:	June 29, 2007	July 20, 2007
Filing of Oppositions to Motions for Summary Judgment:	July 31, 2007	August 21, 2007
Filing of Replies to Oppositions to Motions for Summary Judgment:	August 21, 2007	September 11, 2007

3. Pursuant to this proposed schedule, briefing on the parties' respective summary judgment motions, if any, will be complete on or before September 11, 2007.

WHEREFORE, the parties jointly and respectfully request that the Court grant this Joint Motion to Modify the Scheduling Order and Set Briefing Schedule for the reasons stated herein.

ABBOTT LABORATORIES

JOHN HANCOCK LIFE INSURANCE  
COMPANY, JOHN HANCOCK  
VARIABLE LIFE INSURANCE  
COMPANY and MANULIFE INSURANCE  
COMPANY

By its attorneys,

By their attorneys,

/s/ Gregory D. Phillips

Jeffrey I. Weinberger (*pro hac vice*)  
Gregory D. Phillips (*pro hac vice*)  
Eric Lorenzini (*pro hac vice*)  
MUNGER, TOLLES & OLSON LLP  
355 South Grand Avenue  
Thirty-Fifth Floor  
Los Angeles, CA 90071-1560  
Tele: (213) 683-9100

/s/ Brian A. Davis

Brian A. Davis (BBO No. 546462)  
Joseph H. Zwicker (BBO No. 560219)  
Karen Collari Troake (BBO No. 566922)  
CHOATE, HALL & STEWART LLP  
Two International Place  
Boston, MA 02110  
Tele: (617) 248-5000

Date: June 18, 2007

**LOCAL RULE 7.1 CERTIFICATION**

Pursuant to Local Rule 7.1(A)(2), the undersigned counsel for Plaintiffs hereby certifies that counsel for the parties conferred in good faith in an effort to resolve or narrow the issues that are the subject of this Motion.

/s/ Brian A. Davis

Brian A. Davis

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and that paper copies will be sent to those non-registered participants (if any) on June 18, 2007.

/s/ Brian A. Davis

Brian A. Davis